

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

527M0485

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1140** - 01/25/2006

Introduced by: Representatives Haley, Hargens, Hennies, Murschel, and O'Brien and  
Senators Hansen (Tom), Abdallah, Broderick, Hundstad, Koetzle, Nesselhuf,  
Olson (Ed), Peterson (Jim), and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the continuing  
2 eligibility requirements for opportunity scholarship recipients.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-55-34 be amended to read as follows:

5 13-55-34. In order to maintain eligibility, a student shall:

6 (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point  
7 average shall be calculated after the second semester and every semester thereafter.  
8 The student shall complete consecutive spring and fall terms in order to remain  
9 eligible for continuation of the scholarship program from term to term. A student  
10 whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the  
11 scholarship for the subsequent semester and for subsequent semesters until the  
12 student has reestablished eligibility. To reestablish eligibility, the student shall  
13 comply with all course load, enrollment, and proficiency examination requirements  
14 for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student



1 shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The  
2 scholarship shall be reinstated beginning the semester following that in which the  
3 student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale.  
4 Reinstatement of a scholarship does not extend the time allowed under the  
5 scholarship program; any scholarship award forfeited cannot be reclaimed after a  
6 student has regained eligibility. A student whose cumulative grade point average falls  
7 below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent  
8 semesters;

9 (2) Complete fifteen credit hours of instruction per semester. The student shall enroll in  
10 and complete at least fifteen credit hours of instruction in each consecutive spring  
11 and fall term. If the executive director of the Board of Regents determines that a  
12 student's failure to enroll or to maintain continued enrollment occurred as a direct  
13 result of the student's participation in intercollegiate athletics or of legitimate factors  
14 outside the student's control, or has resulted from the student's participation in an  
15 activity that in the executive director's judgment provides knowledge or experience  
16 that will enhance the student's academic pursuits, the executive director may extend  
17 the student's eligibility to participate in the program for up to two additional years,  
18 if the student does not enroll in a noneligible institution; and

19 (3) Sit for and pass all sections of a college proficiency exam as required by Board of  
20 Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the  
21 sophomore year. The Board of regents may review and adjust the proficiency  
22 examinations administered in keeping with sound academic practice. If such changes  
23 are made, the Board of Regents shall notify all eligible institutions of new testing  
24 standards or requirements. If the student fails to pass the proficiency examinations

1 the first time, eligibility is forfeited for continuation in the scholarship program.